

BRIAN J. STRETCH (CABN 163973)
United States Attorney

BARBARA J. VALLIERE (DCBN 439353)
Chief, Criminal Division

SARAH HAWKINS (CABN 257723)
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
San Francisco, California 94102-3495
Telephone: (415) 436-7126
Fax: (415) 436-7207
Email: Sarah.Hawkins@usdoj.gov

Attorneys for United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	CASE NO. CR 15 0489 RS
)	
Plaintiff,)	STIPULATION AND PROPOSED ORDER TO
)	CONTINUE DETENTION HEARING AND
v.)	EXCLUDE TIME FROM OTHERWISE
)	APPLICABLE SPEEDY TRIAL ACT
DOUGLAS LEE SMITH,)	CALCULATION
)	
Defendant.)	
)	
)	
)	

STIPULATION

IT IS HEREBY STIPULATED by the parties, through undersigned counsel, that:

1. The parties appeared on December 3, 2016 at 2:30 p.m. for an initial appearance. Mr. Smith was represented by Ethan Balogh. Assistant United States Attorney Sarah Hawkins appeared for the Government.

2. At the appearance, the parties explained that discovery had been produced and was being reviewed by counsel for Mr. Smith. The parties jointly requested a status conference on February 21, 2017, a date agreed upon by the Court.

3. The parties further respectfully requested that the period from December 13, 2016

1 through and including February 21, 2017 should be excluded from the otherwise applicable Speedy Trial
2 Act computation because the continuance is necessary for effective preparation of counsel, taking into
3 account the exercise of due diligence.

4 4. The parties concur that granting the exclusion would allow the reasonable time necessary
5 for effective preparation of counsel and continuity of counsel. *See* 18 U.S.C. §3161(h)(7)(B)(iv). The
6 parties also agree that the ends of justice served by granting such an exclusion of time for the purposes
7 of effective preparation of counsel outweigh the best interests of the public and the defendant in a
8 speedy trial. 18 U.S.C. § 3161(h)(7)(A).

9
10 IT IS SO STIPULATED.

11
12 DATED: December 30, 2016

BRIAN J. STRETCH
United States Attorney

13
14 /s/
SARAH HAWKINS
15 Assistant United States Attorney

16
17 DATED: December 30, 2016

18 /s/
ETHAN A. BALOGH
19 Counsel for Douglas Smith

~~PROPOSED~~ ORDER

Based upon the above-described Stipulation, THE COURT FINDS THAT the ends of justice served by granting a continuance from December 13, 2016 to February 21, 2017 outweigh the best interest of the public and the defendant in a speedy trial, and that failure to grant such a continuance would unreasonably deny the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

Accordingly, THE COURT ORDERS THAT:

1. The parties shall appear before the Court on February 21, 2017 at 2:30 p.m. for an initial appearance.

2. The period from December 13, 2016 through and including February 21, 2017 is excluded from the otherwise applicable Speedy Trial Act computation, pursuant to 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

IT IS SO ORDERED.

DATED: 1/3/17


HON. RICHARD SEEBORG
United States District Judge